

**RECEIVED
CENTRAL FAX CENTER****REMARKS/ARGUMENTS****SEP 24 2007**

Pending claims 4-5, 13-14, 22-23 and 28-32 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,010,401 (Murakami). Applicants respectfully traverse the rejection. As to claim 4, the Office Action refers to FIG. 21 and the associated text to contend the teaching of determining whether a processor is limited in its ability to compress video image data "based on whether a difference between a compress time for a current frame and a target frame exceeds a threshold amount." Final Office Action, p. 2. As textual support, the Office Action refers to, apparently, column 15-16, which refers to FIG. 21. However, all that Murakami teaches (with regard to FIG. 21 and the remainder of the Specification) is that an interframe differential decoding block data is obtained and is subjected to motion detection in block units, in which the data is compared to a threshold to determine whether movement or no movement is occurring in the associated video blocks. This nowhere teaches a compress time for either a current frame or a target frame period. Certainly, this further nowhere teaches determining whether a difference between such compress times exceeds a threshold. As such, nothing in Murakami teaches determining whether a processor is limited in its ability to compress video image data based on this non-existent difference and comparison. Simply put, nothing in Murakami anywhere teaches the determination recited in claim 4. Nor is there any adjusting of a target frame rate based on a compress time. As such, claim 4 and its dependent claims are patentable, as are independent claims 13 and 22 and their dependent claims.

Note further as to dependent claims 28-30, which state that the threshold amount is a predetermined portion of the target frame period, Murakami fails in this regard also. Instead, in the cited portion of Murakami (col. 16, lns. 4-18), the threshold described is a *motion detection threshold value*; this has nothing to do with the recited predetermined portion of a target frame period.

Pending claims 4-6, 13-15, 22-24 and 28-32 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,188,792 (Chujoh). Applicants also respectfully traverse this rejection. As to independent claim 4, the Office Action points to column 14, lines 9-26 and FIGS. 11 and 12 to contend that Chujoh teaches determining whether a processor is limited in its ability to compress video image data in the recited manner. Applicants respectfully disagree.

In this regard, all that this portion and the remaining text of Chujoh teach is that for frames in a non-encoded mode (i.e., when there is *no compression* occurring):

no refresh needs to be performed for a macro block continuously found to be stationary over (one cycle+L-1) frames in the past. That is, since a picture in a frame before a frame which cannot be decoded due to an error is correct, recovery of refresh in two cycles can be ensured.

Chujoh, col. 14, lns. 22-26.

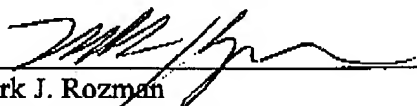
This teaching has nothing to do with determining a compress time for a current frame, as Chujoh instead only teaches whether a frame includes an error or not. Furthermore, Chujoh does not determine a difference between this (non-existent) compress time and a target frame period compress time. Nor is there any teaching of comparing this non-existent difference to a threshold amount. Accordingly, Chujoh fails to teach the recited subject matter of claim 4. As such claim 4 and the claims depending therefrom are patentable over Chujoh. As similar subject matter is present in independent claims 13 and 22, the rejection of these claims over Chujoh is similarly overcome.

With regard to dependent claims 28-30, Chujoh further fails to teach that the threshold amount is a predetermined portion of a target frame period. Instead, the Office Action merely points to column 13, lines 15-19 of Chujoh, which simply teaches a number of cycles for determining whether a motion domain exists between frames including errors. This cited matter has nothing to do with a target frame period and for this further reason, these dependent claims are patentable.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

Date: 7/24/07


Mark J. Rozman
Registration No. 42,117
TROP, PRUNER & HU, P.C.
1616 S. Voss Road, Suite 750
Houston, Texas 77057-2631
(512) 418-9944 [Phone]
(713) 468-8883 [Fax]
Customer No.: 21906